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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/693,355	10/23/2003	Dan Dwyer	200312262	2726
22879	7590	12/02/2004	EXAMINER	
HEWLETT PACKARD COMPANY P O BOX 272400, 3404 E. HARMONY ROAD INTELLECTUAL PROPERTY ADMINISTRATION FORT COLLINS, CO 80527-2400			KOVAL, MELISSA J	
			ART UNIT	PAPER NUMBER
			2851	

DATE MAILED: 12/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/693,355

Applicant(s)

DWYER ET AL.

Examiner

Melissa J Koval

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 27 September 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-65 is/are pending in the application.
- 4a) Of the above claim(s) 17, 18, 38, 44, 45, 48, 52, 53, 55 and 56 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12, 14, 16, 19-27, 29, 30-37, 39, 40, 42, 43, 46, 47, 49-51, 54 and 57-65 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 October 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>10/23/2003</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Election/Restrictions***

Applicant's election with traverse of Embodiment 4 in the reply filed on September 27, 2004 is acknowledged. The traversal is on the ground(s) that species designations appear arbitrary and are not clearly characterized. This is not found persuasive because the distinctions between each of the species are visually apparent from the figures. Applicant states in his remarks filed on September 27, 2004, on page 15, lines 18 and 19, that is impossible for Figures 1A and 1B to illustrate different species. The examiner asserts that if the docking station shown in Figure 1B can function without the projector device, it can be construed as a separate species possibly requiring a search in a different art. The rejection of Figure 1A may clearly require the application of a different reference than Figure 1. Because no projection device is shown in Figure 5, the same arguments apply.

With respect to applicant's remarks regarding Figure 4, found at the bottom of page 15 of applicant's remarks, the examiner agrees to include Figure 4 with the examination of Embodiment 4 as shown in Figure 3, but the examiner does not agree that Figure 4 may be considered generic to all species. The flowchart of Figure 4 does not apply to Figures 1B or Figure 5 without the projection system because the docking station shown in each stands alone as an audio system.

Claims 13, 15, 28 and 41 are withdrawn.

The examiner is additionally withdrawing claims 17, 18, 38, 48, 52, 53 and 55 because they describe additional embodiments not shown in Figure 3 or described in

the flowchart of Figure 4. Claims 44, 45 and 56 are also withdrawn because they are best drawn to the embodiments shown in Figures 1B or 5.

The requirement is still deemed proper and is therefore made FINAL.

### ***Drawings***

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the "electrical interconnect" of claims 2, 3, 4, 22, 23, 26, 33, 34, 42, 43, 50-53, 59, and 61 must be shown or the feature(s) canceled from the claim(s). Furthermore the examiner questions if Claim 4 describes "step 420" of Figure 4, or something else. No new matter should be entered. The indicator of claim 19 is not clearly shown in Figure 3. Nor is a step as in claim 30 shown in Figure 4.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement

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Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-4, 6, 7-12, 14, 19-27, 29, 30, 32-36, 39, 40, 42, 43, 46, 47, 49-51, 54, and 57-62 are rejected under 35 U.S.C. 102(e) as being anticipated by Derryberry (U.S. Patent 6,626,543 B1).

See Figures 7, 8 and 9, for example, of Derryberry ('543 B2). It can be understood from the "DETAILED DESCRIPTION OF THE INVENTION" that the electronic image projection device of Derryberry is a multi-media device.

Claim 1 sets forth: "A multimedia display device comprising:

a docking station including speakers (See column 3, lines 64 through 66.) and a media drive (See column 5, lines 21 through 27, for media drives A and B.);

wherein said docking station (network docking station 42) is configured to structurally and communicatively couple an image projection device to said docking station (docking station connections 40)."

Claim 2 sets forth: "The multimedia display device of claim 1, wherein said docking station further comprises an electrical interconnect." See column 5, lines 51 through 57. Claim 3 is rejected for the same reasons applied to rejected claim 2.

Claim 4 sets forth: "The multimedia display device of claim 1, wherein said image projection device receives a video signal from said docking station via said electrical interconnect." See column 5, lines 24 and 25.

Claim 6 sets forth: "The multimedia display device of claim 1, wherein said media drive comprises one of a compact disc read-only memory (CD-ROM) drive, a recordable (CD-R) drive, a rewritable CD (CD-RW) drive, a digital versatile disc read-only memory (DO-ROM) drive, a recordable DVD (DVD+R) drive, a rewritable DVD (DVD+RW) drive, a motion picture entertainment group compression format number three (MP3) drive, a DVD/CD/CDRW/MP3 combination drive, a cassette drive, a memory stick, a memory card slot, a hard disk device, or an M receiver." See column 3, lines 50 through 52.

Claim 7 sets forth: "The multimedia display device of claim 1, wherein said docking station further comprises an infrared (I/R) sensor configured to receive control commands from a remote control." See column 3, lines 41 and 42.

Claim 8 sets forth: "The multimedia display device of claim 7, wherein said control commands trigger said docking station to control said image projection device." See column 3, lines 53 through 56.

Refer to Figures 1 and 3 of Derryberry, for example.

Claim 9 sets forth: "The multimedia display device of claim 1, wherein said docking station further comprises a plurality of control buttons configured to control an operation of said docking station." See power button 24 and reset button 26.

Claim 10 sets forth: "The multimedia display device of claim 1, further comprising a handle disposed on said docking station." Refer to Figures 6 through 8 of Derryberry and handle 38. Also see column 4, lines 54 through 57.

Claim 11 sets forth: "The multimedia display device of claim 1, wherein said image projection device comprises one of a liquid crystal display (LCD) projector, a digital light processing (DLP) projector, a liquid crystal on silicon (LCOS) projector, a slide projector, or a film projector." See column 3, lines 43 through 46.

Claim 12 sets forth: The multimedia display device of claim 1, wherein said docking station further comprises:

- a body; and

- a cavity disposed in said body;

wherein said cavity is configured to structurally support said image projection device. See Figures 7 and 8. Network docking station 42 is shown to have a body and a cavity for receiving projector 10 housed in projector housing 12.

Claim 14 sets forth: "The multimedia display device of claim 12, wherein said cavity is configured to support said image projection device in a horizontal position. Again see Figures 7 and 8, for example.

Claim 19 sets forth: "The multimedia display device of claim 1, wherein said

docking station further comprises an indicator configured to notify a user when said image projection device is correctly coupled to said docking station." See power button 24, drives A and B, and display screen 18. Once the power button is on, the failure of the drives or the display screen to operate would indicate the failure of electrical connectivity among the docked devices.

Method claims 20 and 21 are rejected for the same reasons already applied to rejected claim 1.

Method claims 22 and 23 are rejected for the same reasons already applied to rejected claims 2 and 3, respectively.

Claim 24 sets forth: "The method of claim 20, further comprising remotely controlling said media source with an infrared (VR) remote control." See column 3, lines 41 and 42 of Derryberry ('543 B2).

Claims 25 and 26 are rejected for the same reasons applied to already rejected claim 7.

Claim 27 is rejected for the same reasons applied to already rejected claim 6.

Claim 29 is rejected for the same reasons already applied to rejected claim 14.

Claim 30 is rejected for the same reasons already applied to rejected claim 19.

With respect to claim 32, again refer to Figures 6 through 8 of Derryberry ('543 B2) and column 3, lines 64 and 65.

With respect to claims 33 and 34, refer to docking station connections 40 in Figure 8, for example.

Claim 35 is rejected for the same reasons already applied to rejected claim 11.



Claim 36 sets forth: "The multimedia display device of claim 32, wherein said audio means comprises a number of speakers." See column 3, lines 64 and 65.

Claim 39 is rejected for the same reasons applied to already rejected claim 6.

Claim 40 is rejected for the same reasons applied to already rejected claim 12.

Method claims 42 and 43 are rejected for the same reasons already applied to rejected claims 32 through 34.

Method claim 46 is rejected for the same reasons applied to already rejected claim 6.

With respect to claim 47, again refer to column 3, lines 64 and 65.

Claims 49 through 51, 54, 57, 58, 59, 60, and 61 are rejected for reasons already applied to the above rejected claims.

Claim 62 sets forth: "The image projector of claim 59, wherein said electrical connection comprises one of a universal serial bus (USB), a small computer system interface (SCSI), a Bluetooth connection, an VEE 1394 high speed serial bus, a parallel connection, a serial connection, a radio corporation of America (RCA) connector, a coaxial cable connector, a fiber optic connector, or a wireless connector." See column 3, lines 53 through 56, of Derryberry ('543 B2).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5, 16, 31, 37, 63, 64 and 65 are rejected under 35 U.S.C. 103(a) as being unpatentable over Derryberry (U.S. 6,626,543 B2).

Claim 5 sets forth: "The multimedia display device of claim 4, wherein said video signal from said docking station is in synch with a number of audio signals output by said docking station."

Derryberry ('543 B2) does not use the term "in synch" in the body of his specification. However the examiner believes that the limitations of claim 5 do not patentably distinguish the claim over Derryberry. For example, Derryberry refers to a DVD drive in column 3, line 51. If the DVD image projected is not in synch with the accompanying audio, the device is not working properly and the viewer's viewing experience would be disorienting. Or, for example, the presentation referred to in column 3, lines 64 and 65 would have a similar effect on viewers of the presentation if the audio is not in synch with video. Viewers would be confused and subjected to an unpleasant and unintelligible viewing experience.

Therefore, it would have been obvious to one having ordinary skill in the art at the time that the invention was made that video and audio signals are in synch for the claimed system. The motivation for designing the system as such would be so that the system achieves its desired function for both the operator and the viewer or viewers.

Method claim 31 is rejected for the same reasons already applied to rejected claim 5.

Claim 16 sets forth: "The multimedia display device of claim 1, wherein said speakers comprise two speakers configured to provide stereo sound." Again refer to column 3, lines 64 and 65, wherein Derryberry teaches, "The projection device and/or the computer device could utilize speakers to present audio information." Therefore the reference teaches the presence of plural speakers, but does not specifically state "two speakers" as claimed. The examiner does not believe that the number of speakers used achieves unexpected results and many audio devices utilize two speakers. Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize two speakers because the reference implies the presence of at least two speakers as described above. The motivation for one having ordinary skill in the art to use two speakers would be to provide sound to the viewer's left and right ears equally. Claim 37 is rejected for the same reasons.

With respect to claims 63 through 65, the teaching of Derryberry is silent to the shape of the speakers that may be used, suggesting that the device could make use of any shaped speakers.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to use round speakers with the device taught by Dewberry, as nothing in applicant's specification suggests that the shape of the speakers are critical. The motivation for one having ordinary skill in the art to use one shape of speaker over another shape would be purely cosmetic.

**Conclusion**

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Jacobsen U.S. Patent 6,486,862 B1 teaches a card reader display system.

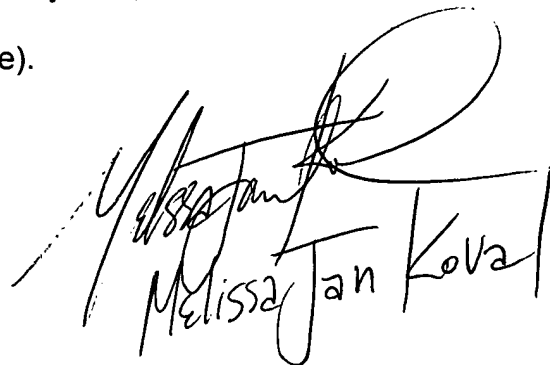
Appling, III U.S. Patent Application publication US 2004/0091232 A1 teaches a method and apparatus for effecting a presentation.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melissa J Koval whose telephone number is (571) 272-2121. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on (571)272-2258. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MJK



Handwritten signature of Melissa Jan Koval.